

UNITED STATES DISTRICT COURT

for the
District of New Mexico

FILED
United States District Court
Albuquerque, New Mexico
Mitchell R. Elfers
Clerk of Court

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

32 Jack Rabbit Hill Road
Penasco, NM 87553

Case No. **23 MR 153****APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

32 Jack Rabbit Road, Penasco, NM 87553

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

the body of John Doe; instruments of or evidence of the crime

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

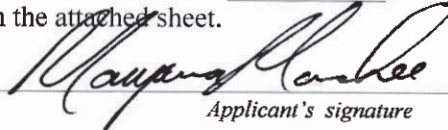
- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 1111	Murder
18 USC 1153	Offenses committed within Indian Country

The application is based on these facts:
see attached probable cause statement

- ☐ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Maryanna Manchee, Special Agent
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by _____ (specify reliable electronic means).

Date: 01/11/2023

City and state: Albuquerque, New Mexico

telephonically approved
Judge's signature

Judge John F. Robbenhaar
Printed name and title

THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

In the Matter of the Search of)	Case No.
)	
32 Jack Rabbit Hill Road)	
Penasco, NM 87553)	

PROBABLE CAUSE STATEMENT FOR SEARCH WARRANT

Maryanna Manchee, a Special Agent of the Federal Bureau of Investigation, Albuquerque Division, being duly sworn, deposes and states as follows:

1. I am a Special Agent of the Federal Bureau of Investigation and have been trained to investigate crimes on Indian Country.
2. On January 10th, 2023, E.S., stepsister of John Doe, called the Bureau of Indian Affairs (BIA) for a welfare check on her brother. On January 11, 2023, BIA attempted contact with John Doe at 32 Jack Rabbit Hill Road, Penasco, NM 87553. BIA was unable to get a response at the residence.
3. The Picuris Governor asked John Doe's stepsister, N.A., to try and locate John Doe. N.A. went to the residence at 32 Jack Rabbit Hill Road and knocked on her brother Byron's window. Byron Sanchez is the stepbrother of John Doe. Byron Sanchez and John Doe have lived in the residence at 32 Jack Rabbit Hill Road since approximately 2012 or 2013.

4. Byron opened the front door for N.A. and let her in the residence. N.A. told Byron that BIA was looking for John Doe and he should let them in to make sure John Doe was not there.
5. Byron did not speak, but held up his arm and motioned for her to go to John Doe's room.
6. N.A. opened the door to John Doe's room and immediately noticed a terrible stench. She saw a body on the floor wrapped in a sleeping bag, with feet sticking out.
7. N.A. closed the door and asked Byron what happened and what did he do.
8. Byron did not say anything, but opened the door and motioned for the BIA officer to enter the residence. He then turned his back to the officer and put his hands behind his back, as if to allow the officer to handcuff him.
9. N.A. last saw John Doe on Christmas Day in Picuris Pueblo.
10. John Doe is a registered member of Cochiti Pueblo.
11. Byron Sanchez is a registered member of Picuris Pueblo.
12. The location where John Doe was found was within the exterior boundaries of the Picuris Pueblo in the District of New Mexico.



1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF NEW MEXICO

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4 In the Matter of the Search of:

5 No. 23 MR 153

6 32 Jackrabbit Hill Road, Peñasco,
7 New Mexico 87553

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12 TELEPHONIC APPLICATION FOR SEARCH WARRANT
13 January 11, 2023

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17 PARTIES APPEARING TELEPHONICALLY:

18 Honorable John F. Robbenhaar
19 United States Magistrate Judge

20 FBI Special Agent Maryanna Manchee
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Oral Search Warrant

In the Matter of the Search of: 32 Jackrabbit Hill Road, Peñasco, New Mexico, New Mexico 87553

January 11, 2023

1 AGENT MANCHEE: Okay. We are recording.

2 JUDGE ROBBENHAAR: All right. This is
3 Judge Robbenhaar. It is January the 11th, 2023. The
4 time is 9:33 p.m. On the telephone with Special Agent
5 Manchee of the Federal Bureau of Investigation.

6 And Agent Manchee has called me requesting an
7 oral search warrant. I'm now going to swear
8 Agent Manchee and ask her to provide a probable cause
9 statement.

10 So, Agent Manchee, before you start, let me
11 let you know that I will be placing you under oath and
12 ask that you provide a statement that's true and
13 accurate to the best of your knowledge.

14 So, Agent Manchee, would you please raise your
15 right hand, please?

16 AGENT MANCHEE: Yes.

17 JUDGE ROBBENHAAR: Do you swear and affirm
18 that the following probable cause statement that you're
19 about to provide is true and correct to the best of your
20 knowledge?

21 AGENT MANCHEE: Yes, I do.

22 JUDGE ROBBENHAAR: All right. Please go ahead
23 and inform the Court what -- the probable cause
24 statement that you have and the basis behind your
25 request for an oral search warrant.

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Oral Search Warrant

January 11, 2023

1 AGENT MANCHEE: Thank you.

2 I, Maryanna Manchee, special agent of the FBI
3 and trained to investigate crimes on Indian Country,
4 being first duly sworn, hereby depose and state as
5 follows:

6 On January 10th, 2023, E.S., step-sister of
7 John Doe, called the Bureau of Indian Affairs for a
8 welfare check on her brother.

9 On January 11th, 2023, BIA attempted contact
10 with John Doe at 32 Jackrabbit Hill Road, Peñasco,
11 New Mexico 87553. BIA was unable to get a response at
12 the residence.

13 The Picuris governor asked John Doe's
14 step-sister N.A. to try and locate John Doe. N.A. went
15 to the residence at 32 Jackrabbit Hill Road and knocked
16 on her brother Byron's window.

17 Byron Sanchez is the step-brother of John Doe.
18 Byron and John Doe have lived in the residence at
19 32 Jackrabbit Hill Road since approximately 2012 or
20 2013.

21 Byron opened the front door for N.A. and let
22 her in the residence. N.A. told Byron that BIA was
23 looking for John Doe, and he should let them in to make
24 sure John Doe wasn't there.

25 Byron didn't speak, but held his arm up and

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January 11, 2023

1 motioned for N.A. to go to John Doe's room. N.A. opened
2 the door to John Doe's room and immediately noticed a
3 terrible stench. She saw a body on the floor wrapped in
4 a sleeping bag with feet sticking out.

5 N.A. closed the door and asked Byron what
6 happened and what did he do.

7 Byron didn't say anything, but opened the door
8 of the residence and motioned for the BIA officer to
9 enter the residence. He then turned his back to the
10 officer and put his hands behind his back as if to allow
11 the officer to handcuff him.

12 N.A. last saw John Doe on Christmas Day in
13 Picuris Pueblo.

14 John Doe is a registered member of
15 Cochiti Pueblo. Byron Sanchez is a registered member of
16 Picuris Pueblo. The location where John Doe was found
17 was within the exterior boundaries of the Picuris Pueblo
18 in the District of New Mexico.

19 JUDGE ROBBENHAAR: All right. Thank you,
20 Agent Manchee.

21 Let me just pull up -- so based on your
22 statement, I do find that there is probable cause to
23 support a search of the residence at the listed address.

24 I authorize you to execute this warrant
25 immediately on today's date, January the 11th of 2023.

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1 You should note on your copy of the AO 93(a)
2 form that I have telephonically approved the warrant and
3 that I did so from Albuquerque, New Mexico.

4 AGENT MANCHEE: Thank you, sir.

5 JUDGE ROBBENHAAR: I authorize you -- and,
6 specifically, Agent Manchee, as reflected in the AO 93,
7 I authorize law enforcement to enter the residence to
8 seize the body of John Doe and any instruments or
9 evidence of a crime that are obvious to the agents.

10 Is there anything else that you would like to
11 seek authorization to seize?

12 AGENT MANCHEE: Not at this time, sir.

13 JUDGE ROBBENHAAR: All right. All right. I
14 do believe that covers our probable cause statement.

15 I'll have you preserve this recording and take
16 appropriate steps to make sure it's transcribed to
17 get -- gotten back to the Court as soon as possible.

18 Normally, you would leave a copy of the
19 AO 93(a) at the scene. I'm not sure if you can do so
20 under the circumstances. But if it's not possible to
21 leave a physical copy of the warrant, then I will
22 require you to get a physical copy of the warrant to the
23 residence as soon as practicable -- possibly tomorrow,
24 if that's possible. It may not be, but as soon as you
25 can.

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Oral Search Warrant

January 11, 2023

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AGENT MANCHEE: Okay. We will do that, sir.

JUDGE ROBBENHAAR: All right. Okay.

Do you have any questions or comments before
we go off recording?

AGENT MANCHEE: I do not. Thank you.

JUDGE ROBBENHAAR: All right. You can stop
the recording.

[End of call.]

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Oral Search Warrant

January 11, 2023

REPORTER'S CERTIFICATE

I, Jenifer L. Russin, CCR #182, a Certified Court Reporter, do hereby certify that the proceedings of the above-entitled cause were transcribed by me stenographically, and that the within transcript is a true and accurate transcription of my shorthand notes.

I FURTHER CERTIFY that I am neither an attorney nor counsel for, nor related to or employed by any of the parties to the action, and that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.



Jenifer L. Russin, RDR, CRR
Certified Court Reporter #182
License Expires: 12/31/2023